

REMARKS

In compliance with the Election/Restriction Requirements under 35 USC § 121, applicant elects the species of claim 83, but respectfully traverses the Election/Restriction Requirement.

Applicant has amended claims 70, 74-78 and 80-84 to make the language consistent and particularly clarify the element (a).

Applicant believes that present claim 70 is, in fact, a generic claim, particularly after the clarifying amendment to subparagraph (a) which adds the requirement that the poly(1, 4-butanediol adipate) be cured using an isocyanate curing agent as used in the binder composition, in addition to having a certain minimum molecular weight as an uncured starting material. Note that all the species formulas contain the elements (a), (b) and (c) of claim 70 as ingredients. Thus, all the claims are now believed to be within the scope of claim 70.

Thus, with further regard to the election of species, it is believed that claims 70, 73 and 76 also read on claim 83.

In view of the above amendments, taken together with the remarks herein, the Examiner is requested to reconsider and

withdraw the Election/Restriction Requirement and examine the claims together.

Respectfully submitted,

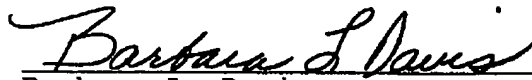
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing Amendment Under 37 CFR 1.111 in response to the Official Action mailed January 13, 2004, in application Serial No. 09/088,163, filed on June 1, 1998, of John R. Moser, Jr., entitled "REDUCED ENERGY BINDER FOR ENERGETIC COMPOSITIONS", and a transmittal letter are being sent by facsimile transmission to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 4, 2004.



Barbara L. Davis

On behalf of C. G. Mersereau

Date of Signature: February 4, 2004